

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN HANZLIK-STUART,

Defendant.

8:16CR167

ORDER

Defendant Brian Hanzlik-Stuart appeared before the court on October 30, 2018 on a Petition for Offender Under Supervision [30]. The defendant was represented by Assistant Federal Public Defender Richard H. McWilliams, and the United States was represented by Assistant U.S. Attorney John E. Higgins.

Through his counsel, the defendant waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(b)(1). I find that the Petition alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Senior Judge Bataillon.

The government moved for detention. However, the defendant is in state custody. Therefore, the government's oral motion for detention shall be held in abeyance.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on December 21, 2018 at 1:00 p.m. The defendant must be present in person.

2. The government's motion for detention pursuant to the Bail Reform Act is held in abeyance pending the defendant's coming into federal custody.

3. The defendant, Brian Hanzlik-Stuart, having received notice of his return to the custody of Nebraska state authorities pending the disposition of this matter and having waived an opportunity for hearing in this matter pursuant to the Interstate Agreement on Detainers, 18 U.S.C. app § 9(2), the U.S. Marshal is authorized to return the defendant to the custody of Nebraska state authorities pending the final disposition of this matter and the U.S. Marshal for the District of

Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

Dated this 31st day of October, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge